

## **REMARKS**

Entry of the foregoing, reexamination and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

As correctly noted in the Office Action Summary, claims 1-6 were pending. By the present response, claims 1 and 3-6 have been amended, and claim 7 has been added. Thus, upon entry of the present response, claims 1-7 are pending and await further consideration on the merits.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: pg. 7, lines 7-14; pg. 8, lines 1-7 and 23-25; Figures 2A, 3 and 4; and the original claims.

## ***CLAIM REJECTIONS UNDER 35 U.S.C. §103***

Claims 1-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0029364 to Almeida (hereafter "*Almeida*") in view of U.S. Patent No. 6,514,243 to Eckhouse et al. (hereafter "*Eckhouse et al.*") on the grounds set forth in paragraph 3 of the Official Action. For at least the reasons noted below, this rejection should be withdrawn.

The present invention is directed to an intense pulse light device which possesses certain benefits and advantages when compared to conventional intense pulse light devices. In particular, devices constructed according to the principles of the present invention include a light filter section which is rotatably installed, thereby improving convenience and flexibility during use of such devices. An intense pulse

light device constructed according to the principles of the present invention as set forth in amended claim 1. Amended claim 1 recites:

1. *An intense pulse light device comprising:  
a body;  
a flash lamp having a pipe shape and being  
installed in the body;  
a cooling water circulation pipe aligned around the  
flash lamp;  
a semicircular reflection mirror aligned at an outer  
portion of the cooling water circulation pipe;  
an optical tube assembly installed in the body in  
order to emit light radiated from the flash lamp to an  
exterior; and  
a light filter section aligned around the reflection  
mirror while forming a predetermined space  
therebetween;  
wherein the flash lamp and the light filter section  
are relatively rotatable.*

*Almeida* discloses a multiple purpose photo-dermatological device. *Almeida* appears to disclose a device constructed according to different embodiments, wherein filters are described as being associated with each embodiment (i.e., 9, Figure 1; and 30, Figure 2).

As evident from the above, claim 1 requires, *inter alia*, "a light filter section aligned around the reflection mirror of forming a predetermined space therebetween." It is asserted in paragraph 3 of the Official Action that: "*Almeida* teaches a light filter section aligned around the reflection mirror while forming a predetermined space therebetween." This interpretation of the disclosure of *Almeida* is respectfully traversed. Starting with Figure 1, the filter (9) as illustrated therein is clearly not disposed around the reflection chamber (5). With respect to Figure 2, the filter (30) is clearly not disposed around the reflective light guide (36).

Thus, contrary to the assertions contained in paragraph 3 of the Official Action, *Almeida* fails to disclose at least this aspect of the presently claimed invention.

As evident from the above, claim 1 further requires: "wherein the flash lamp and the light filter section are relatively rotatable" (emphasis added).

In this regard, it is further asserted in paragraph 3 of the Official Action that:

Almeida teaches the light filter section being rotatable with respect to the flash lamp (when the device is rotated, the filter section rotates on a parallel axis with respect to the flash lamps 1; (Fig. 1)."

Applicants respectfully disagree with the above quoted interpretation of the teachings of Almeida. Specifically, it is quite clear that neither lens (9) or (30) are relatively rotatable with respect to lamps (1) or (26). The scenario described above does not even describe a theoretical situation in which the light filters are rotatable relative to one another, as required by claim 1. Given the disclosed construction of the embodiments depicted in Figures 1 and 2 of Almeida, it is abundantly clear that the relative positions of the lenses and lamps in the arrangements disclosed therein are relatively stationary with respect to each other; either both would rotate together, or both would remain stationary. This arrangement clearly fails to satisfy the above noted requirement set forth in amended claim 1.

*Eckhouse et al* is cited as allegedly teaching the use of a reflection mirror having a semi-circular configuration. However, even if the proposed modification were appropriate, which Applicant does not concede to be the case, the claimed invention would still not result. Namely, the alleged teachings of *Eckhouse et al.* set forth in the grounds for rejection fail to cure the deficiencies previously noted above

in connection with the deficiencies of *Almeida* with respect to amended claim 1.

Thus, reconsideration and withdrawal of the rejection is respectfully requested.

The remaining claims depend from claim 1. Thus, these claims are also distinguishable over the applied prior art for at least the same reasons noted above.

### ***NEW CLAIM***

By the present response, newly presented claim 7 has been added. Claim 7 depends from claim 1. Thus, claim 7 is also distinguishable over the applied prior art for at least the same reasons noted above.

### ***CONCLUSION***

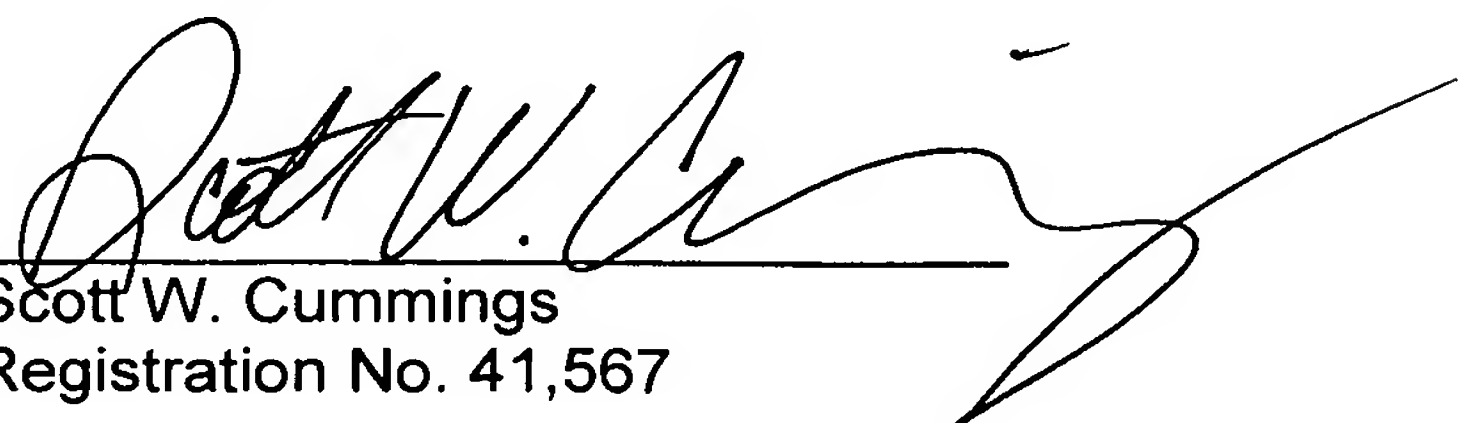
From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: February 20, 2009

By:

  
\_\_\_\_\_  
Scott W. Cummings  
Registration No. 41,567

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620